

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

BRENT GREGORY MOORE, #1466597 §
VS. § CIVIL ACTION NO. 6:08cv25
RAY RATHBURN, ET AL. §

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the Defendants' supplemental motion for summary judgment (docket entry #70) is **GRANTED**. It is further

ORDERED that the complaint is **DISMISSED** and the Plaintiff's claims are **DISMISSED** with prejudice to their being asserted again until the *Heck v. Humphrey*, 512 U.S. 477 (1994), conditions are met. It is finally

ORDERED that all other motions not previously ruled on are hereby **DENIED**.

So ORDERED and SIGNED this 12th day of May, 2009.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE